

16245

ALBERT P. LAUMANN PROPERTY  
105 JUDITH LANE  
CAHOKIA, ILLINOIS  
DEAD CREEK SITE

**AFFIDAVIT IN SUPPORT OF APPLICATION  
FOR ENTRY AND ORDER PURSUANT TO THE  
COMPREHENSIVE ENVIRONMENTAL RESPONSE,  
COMPENSATION AND LIABILITY ACT OF 1980**

State of Illinois

County of St. Clair

**SS.**

1. I am currently an environmental engineer with the Waste Management Division, United States Environmental Protection Agency, Region V, Chicago, Illinois (U.S. EPA) and have been employed in this position since 1981. I am the On-Scene Coordinator (OSC) for the Dead Creek Site in Cahokia, Illinois. As an OSC I am responsible for coordinating and directing Federal response activities at abandoned hazardous waste sites.

2. The U.S. EPA became involved in addressing health hazards at the Dead Creek site at the request of State officials. The Illinois Environmental Protection Agency (IEPA) learned of Dead Creek contamination in May 1980 when local citizens reported that material in the creek bed would periodically smolder. The IEPA began a full field investigation of the site in August 1980 and collected numerous sediment samples of the creek. The analytical results of these samples revealed high levels of heavy metals, polychlorinated biphenyls, xylene, dichlorobenzene, trichlorobenzene and chloronitrobenzene (Attachment #1). Based on these results, the IEPA sealed off Dead Creek between Queeny and Judith Lanes from general access pursuant to Section 34 of


the Illinois Environmental Protection Act. In addition, 7000 feet of snow fence were installed around this portion of the creek. The IEPA seal order has never been challenged by any of the current landowners.

3. U.S. EPA personnel visited the Dead Creek site in March 1982 and discovered the snow fence trampled down in many areas. It was also reported that children frequent the creek. IEPA felt it was necessary to secure the site more adequately and requested U.S. EPA to assist in May 1982. As OSC I determined with the concurrence of U.S. EPA Washington that an immediate site security action would be necessary to mitigate an imminent threat to the public health and welfare of the local citizens from direct contact with the creek. In August 1982, U.S. EPA contracted with a local fence contractor to install a chain link fence around Dead Creek in place of the existing snow fence. The contractor has installed 80% of the fence to date.

4. The land that would be enclosed by the fence that U.S. EPA is erecting is the same land that has been under the IEPA seal order for well over a year. The IEPA granted U.S. EPA access to the site to erect the fence under their seal authorities (Attachment 2). I also contacted the twelve adjacent landowners to the creek to obtain their permission to install the fence. All landowners concurred but Mr. Albert Laumann. I discussed the matter of granting voluntary access to the U.S. EPA to install the fence with Mr. Laumann on four different occasions. He understood the need for a more secure fence but he was not going to grant access to his property voluntarily. Mr. Laumann indicated that he might retain counsel on this matter, and I asked him to notify me as soon as he did. On September 21, 1982, I talked with Mr. Laumann one last time. He told me he had decided not to retain counsel but he still did not want to voluntarily allow access.

In order to complete the site security action I must have access to Mr. Laumann's property so that the fence contractor may finish installing the chain link fence.

Further, affiant sayeth not.

  
MICHAEL C. O'TOOLE  
Environmental Engineer  
United States Environmental  
Protection Agency, Region V

Subscribed and sworn to before me this 4 day of October 1982

  
UNITED STATES MAGISTRATE

## **COST RECOVERY DECISION DOCUMENT**

**DEAD CREEK  
SAUGET, ILLINOIS  
SITE NUMBER: 60**

**NOTE:** The only files which could be located for this site were through Tom Daggett of ORC. No Emergency Responses files could be located. No OSC Report was available.

### **REMOVAL ACTION**

The site was secured by installing 4146 feet of fence. No removal of wastes has occurred at this site. Installation of the fence was completed on October 27, 1982.

### **SITE DESCRIPTION**

The site is an abandoned surface/subsurface disposal area located in Sauget, Illinois. The site is adjacent to Dead Creek Site G (Site Spill ID# 8E). Both sites have elevated levels of PCBs and chlorinated benzenes.

### **JUSTIFICATION FOR INITIATING REMOVAL ACTION**

Unrestricted access to elevated levels of PCBs and chlorinated benzenes.

### **COST INCURRED TO DATE**

A SPUR Report dated September 2, 1987, indicated cost incurred by the EPA is \$43,221.46.

### **PRP INFORMATION**

No PRPs have been identified nor have any PRP searches been performed. A PRP search has been done for the adjacent "Site G." The Site G search identified 4 PRPs all of which have denied responsibility. The CERCLA Enforcement Section, Responsible Party Unit, indicated that they did not have a strong case against the PRPs. Due to the close proximity and similarity in chemical constituents, it is likely that the sites are related.

### **REFERENCES**

SPUR Report, September 1987  
Polrep #3, November 1982  
Dead Creek Site G Emergency Response Files  
Warrant for Entry, October 4, 1982